

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

JAMES WHITTENBERG,

Plaintiff,

No. CIV S-04-2313 FCD JFM P

vs.

LT. L. ROLL,

Defendant.

ORDER

Plaintiff has requested a second extension of time to file and serve an opposition to defendant's June 26, 2006 motion for summary judgment pursuant to the court's order of July 26, 2006. Plaintiff contends he has had insufficient access to the law library and needs an additional thirty days in which to file an opposition.

Plaintiff is advised that the material needed to oppose the motion for summary judgment is primarily evidentiary material not likely to be found in the law library.

Plaintiff's request for extension of time will be granted. However, plaintiff is cautioned that no further extensions of time will be granted.

Good cause appearing, IT IS HEREBY ORDERED that:

1. Plaintiff's August 22, 2006 request for an extension of time is granted; and

1           2. Plaintiff is granted thirty days from the date of this order in which to file and  
2 serve an opposition to defendant's June 26, 2006 motion for summary judgment. Defendant's  
3 reply, if any, shall be filed seven days thereafter.

4 DATED: September 6, 2006.

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7 UNITED STATES MAGISTRATE JUDGE

8 /mp;001  
9 whit2313.36(3)